United Nations A/71/135 (Part I)

General Assembly

Distr.: General
12 July 2016
English
Original: Arabic/English/Spanish

Seventy-first session
Items 93 and 100 of the preliminary list*

Establishment of a nuclear-weapon-free zone in the region of the Middle East

The risk of nuclear proliferation in the Middle East

Establishment of a nuclear-weapon-free zone in the region of the Middle East

Report of the Secretary-General

Contents

		Page
I.	Introduction	2
II.	Observations	2
III.	Replies received from Governments	4
	Argentina	4
	Canada	5
	Chile	6
	Cuba	6
	Iran (Islamic Republic of)	7
	Israel	9
	Lebanon	10
	Mexico	11
	Portugal	11
	Spain	12
	Ukraine	14

* A/71/50.

16-11975 (E) 220716

Please recycle

I. Introduction

1. In paragraph 10 of its resolution 70/24, on the establishment of a nuclear-weapon-free zone in the region of the Middle East, the General Assembly requested the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of its resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to the report of the Secretary-General of 10 October 1990 (A/45/435) or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East. In paragraph 11 of the same resolution, the Assembly also requested the Secretary-General to submit to it at its seventieth session a report on the implementation of the resolution. The present report is submitted pursuant to that request.

2. On 1 March 2016, the United Nations Office for Disarmament Affairs sent a note verbale to all Member States drawing their attention to paragraphs 10 and 11 of General Assembly resolution 70/24 and seeking their views on the matter. Replies, which have been received from the Governments of Argentina, Canada, Chile, Cuba, the Islamic Republic of Iran, Israel, Lebanon, Mexico, Portugal, Spain and Ukraine, are reproduced in section III below. Additional replies received from Member States will be issued as addenda to the present report.

II. Observations

3. The Secretary-General remains deeply concerned over the continued lack of prospects for a peaceful settlement of the Israeli-Palestinian conflict and the growing impediments to the actualization of the two-State solution. He welcomes the recent engagement by the international community, including the Quartet, to work towards creating the conditions for a return to meaningful negotiations. The Secretary-General reiterates that the two-State solution is the only realistic way to achieve an end to the conflict, an end to the occupation that began in 1967, a resolution of all final status issues — including Jerusalem, borders, refugees and security — and the establishment of a sovereign, independent, contiguous and viable State of Palestine living side by side in peace with a secure State of Israel, in accordance with relevant resolutions of the Security Council, previous agreements, the Madrid principles and the Quartet road map. He also reaffirms his strong commitment to reaching a lasting and comprehensive peace in the Middle East and stresses the importance of the Arab Peace Initiative in this regard.

4. Since the failure of the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to reach agreement on a substantive final document, the Secretary-General and the co-sponsors of the 1995 resolution on the Middle East adopted by the 1995 Review and Extension Conference, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, have continued to explore means of bringing the States of the Middle East back together to seek a common way forward towards the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

5. The Secretary-General requested his Advisory Board on Disarmament Matters to consider at its sixty-fifth and sixty-sixth sessions, inter alia, an agenda item on the challenges facing the Treaty on the Non-Proliferation of Nuclear Weapons and its review process with a particular focus on the Middle East, and lessons learned from non-United Nations and regional processes. The Advisory Board considered that the Secretary-General was best placed to bring the States of the region back together to resume consultations on the convening of a conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. The High Representative for Disarmament Affairs met on various occasions with representatives from States of the region, bilaterally and at various track 2 events, as well as on the margins of other international meetings, in order to discuss proposals to resume dialogue on a process leading to the establishment of the zone.

6. On 23 May 2016, in Moscow, the Center for Energy and Security Studies and the Ministry of Foreign Affairs of the Russian Federation hosted a high-level workshop entitled "Conference on establishing a Middle East WMD-free zone: devising the next steps". The track 1.5 meeting brought together governmental representatives from the co-sponsors of the 1995 resolution on the Middle East, States of the region and other interested States as well as the United Nations and representatives from civil society and academia. The meeting focused on the lessons learned from the preparatory process between 2010 and 2015 for the planned conference in Helsinki, the role of the co-sponsors and United Nations in re-engaging the States of the region and the prospective agenda, modalities and outcome of a conference involving the States of the region.

7. The Secretary-General appreciates the joint work by the Organization for the Prohibition of Chemical Weapons and the United Nations towards the destruction of declared chemical weapons and chemical weapon production facilities in the Syrian Arab Republic. This work contributes, inter alia, to the realization of a Middle East zone free of nuclear weapons and other weapons of mass destruction. The Secretary-General notes the continuing engagement and dialogue between the Government of the Syrian Arab Republic and the Organization for the Prohibition of Chemical Weapons with the aim of resolving all remaining outstanding issues. The Secretary-General expresses continuing and grave concern over allegations of the use of chemical weapons and toxic chemicals as weapons in the Syrian Arab Republic. In this connection, he welcomes the adoption by the Security Council of resolution 2235 (2015) and the establishment of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism.

8. It is noted that all States of the Middle East share the objective of realizing a Middle East zone free of nuclear weapons and all other weapons of mass destruction. It is also noted that there seems to be a common view among the States of the region on important modalities relating to the conference, including its participants, terms of reference and decision-making, as well as on the need for direct consultations in order to finalize the preparations. However, States of the region continue to hold divergent views on the conference, including on its agenda, time frame, outcome and modalities for a preparatory process. Therefore, it has not been possible to hold direct consultations on a basis acceptable to all the States of the region. The Secretary-General and the High Representative for Disarmament Affairs remain ready to support efforts to promote and sustain the inclusive regional dialogue necessary to achieve the establishment of the zone.

III. Replies received from Governments

Argentina

[Original: Spanish]
[27 May 2016]

Argentina reiterates its long-standing position in support of the establishment, through negotiation, of nuclear-weapon-free zones and the consolidation of such zones. It considers that nuclear-weapon-free zones contribute significantly to international peace and security by safeguarding certain areas from the use or threat of use of nuclear weapons. Therefore, Argentina emphasizes the need for full adherence to the treaties governing those zones, both by the States in the respective regions and by the nuclear powers under the protocols annexed to those treaties.

The rationale underpinning the establishment of such zones is that international law does not endorse the use or threat of use of nuclear weapons in retaliation for the use of conventional weapons, not even in the case of self-defence, because it contravenes the customary requirement of proportionality recognized by the International Court of Justice as applicable to Article 51 of the Charter of the United Nations.

Argentina considers that any group of States has the right to conclude regional treaties to ensure the total absence of nuclear weapons in their respective territories, under article VII of the Treaty on the Non-Proliferation of Nuclear Weapons.

In this regard, nuclear-weapon-free zones play an important role in strengthening the non-proliferation regime and extending the areas of the world that are nuclear-weapon-free. In this context, the responsibilities of the nuclear-weapon States are essential.

Argentina belongs to the first densely populated area in the world constituted as a nuclear-weapon-free zone, under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco). The establishment of a nuclear-weapon-free zone in the Latin American and Caribbean region has contributed to nuclear disarmament and non-proliferation, as well as to regional and global peace and security.

The Treaty of Tlatelolco and the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) have provided a political, legal and institutional benchmark for the establishment of other nuclear-weapon-free zones in different regions of the world.

Today, the experience of OPANAL, together with that of the other four existing nuclear-weapon-free zones and Mongolia as a single State unilaterally declared free of nuclear weapons, constitutes an important heritage of the international community to inspire the establishment of new nuclear-weapon-free zones, and advance towards the goal of a world free of nuclear weapons.

With regard to the establishment of a nuclear-weapon-free zone in the Middle East, Argentina is closely following the situation in the region and believes that it is important to establish nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States concerned.

Argentina also participated in the third Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, in April 2015, convened in accordance with the mandate of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Canada

[Original: English]
[27 May 2016]

At the seventieth session of the General Assembly, Canada supported Assembly resolution 70/24, which called for the establishment of a nuclear-weapon-free zone in the Middle East. It also recognized the endorsement by the 2010 NPT Review Conference of practical steps in a process leading to the full implementation of the 1995 resolution, including the convening of a conference, to be attended by all States of the region, on the establishment of a Middle East zone free of weapons of mass destruction (WMD).

Canada is committed to advancing the outcomes of the 2010 NPT Review Conference, including a conference on a WMD-free zone in the Middle East. It encourages all relevant stakeholders to arrive at modalities for a conference and to ensure a successful conference, to be attended by all States in the region on the basis of arrangements freely arrived at. Any WMD-free zone should be negotiated by States in the region for States in the region, with support from other actors as requested.

Canada continues to call for the universal and full adherence and compliance with the NPT by States in the Middle East. With regard to the Comprehensive Nuclear-Test-Ban Treaty (CTBT), Canada co-sponsored General Assembly resolution 70/73, and encourages all States in the region, particularly those listed in annex 2 to the Treaty, to ratify the Treaty as a confidence- and security-building measure.

Canada continues to call on all remaining States not party to the NPT to join as non-nuclear-weapon States. As a confidence-building measure in advance of this ultimate goal, Canada also calls on these same States to separate civilian and military fuel cycles and to place all civilian nuclear activities under International Atomic Energy Agency safeguards. These statements are in conformity with both the policies and actions of Canada, which include its voting record on the resolutions at the seventieth session of the General Assembly.

Canada recognizes the growing interest in nuclear energy among States parties in the Middle East and welcomes the announcements made by a number of such States concerning new initiatives in this field. In welcoming these initiatives, we note that all nuclear power programmes should be accompanied by the strongest commitments to nuclear non-proliferation, nuclear security and nuclear safety.

Chile

[Original: Spanish]
[1 June 2016]

For Chile, the establishment of internationally recognized and verifiable nuclear-weapon-free zones in various regions is a political and legal commitment by a set of States that have made a commitment to the international community that they will remain free of nuclear weapons as a way to improve levels of regional and international security.

Chile supports all initiatives aimed at establishing viable and realistic mechanisms that facilitate the establishment of nuclear-weapon-free zones, including a weapons-of-mass-destruction-free zone in the Middle East. We understand that this would support the framework set up by the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) to expand and increase the number of such zones. The foreign policy of Chile emphasizes the contribution made by the establishment of nuclear-weapon-free zones to strengthening the disarmament and non-proliferation regimes.

Our own experience has led us to support the global efforts to establish a nuclear-weapon-free zone in the Middle East. We therefore regret the failure to hold a conference in 2012 to address the issue of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, as agreed at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and in accordance with the 1995 NPT resolution on the Middle East.

Cuba

[Original: Spanish]
[2 June 2016]

Cuba forms part of the first densely populated area in the world to be declared a nuclear-weapon-free zone through the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), and it strongly supports the establishment of these zones in other countries and regions of the world as part of efforts to achieve the objective of nuclear disarmament.

Unfortunately, it has not been possible to establish a zone free of weapons of mass destruction, including nuclear weapons, in the Middle East, despite calls from the overwhelming majority of States and the many resolutions and decisions adopted by the General Assembly and the International Atomic Energy Agency (IAEA).

We firmly believe that the establishment of such a zone, as well as contributing significantly to the achievement of the goal of nuclear disarmament, would constitute a major step forward in the peace process in the Middle East region.

At the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the establishment of a zone free of weapons of mass destruction, including nuclear weapons, was an important and

integral part of the commitments that led to the agreement for the indefinite extension of the Treaty.

It is unacceptable that the international conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction has not yet been convened; this conference should have been held in 2012 as an important component of the final outcome of the 2010 Review Conference of the Parties to the Non-Proliferation Treaty.

Latin America and the Caribbean, officially declared a zone of peace at the Summit of the Community of Latin American and Caribbean States (CELAC) held in Havana in January 2014, has taken significant steps on the long road towards international disarmament and security, and continues to promote nuclear disarmament as a priority.

Cuba, deeply concerned at the threat to humanity posed by the existence of nuclear arms and their possible use or threatened use, reiterates its firm commitment to achieving widespread and lasting peace in the Middle East; it calls for the international conference on the establishment of a Middle East zone free of nuclear weapons to be convened without further delay and without preconditions.

Iran (Islamic Republic of)

[Original: English]
[16 June 2016]

The idea of the establishment of a nuclear-weapon-free zone in the Middle East was proposed for the very first time by Iran in 1974. This initiative indicates the long-standing commitment of Iran to the realization of a nuclear-weapon-free world, including in particular through the establishment of a nuclear-weapon-free zone in this volatile region.

The annual and consensual adoption by the General Assembly, since 1980, of resolutions calling for the establishment of a nuclear-weapon-free zone in the Middle East signifies the particular importance of the realization of this noble idea for the international community. Reaffirmation by the General Assembly, in the final document of its tenth special session, of the importance of establishing such a zone, also indicates that this initiative enjoys long-standing strong global support.

Moreover, the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) have highlighted the establishment of such a zone in the Middle East as a matter of priority in the successive Review Conferences of the Parties to the Treaty. The adoption by the 1995 NPT Review and Extension Conference of a separate resolution on the Middle East, as an essential and integral part of the package for the indefinite extension of the Treaty, signifies the vital importance of the realization of this goal for the parties.

In addition, the 2000 NPT Review Conference, while noting that all countries in the region of the Middle East, with the exception of Israel, were parties to the Treaty, reaffirmed "the importance of Israel's accession to the NPT and the placement of all of its nuclear facilities under the comprehensive International Atomic Energy Agency (IAEA) safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East" and paving the way for the

establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

In an important step to pursue the implementation of the 1995 resolution on the Middle East, the 2010 NPT Review Conference unanimously decided to convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

This decision was supported overwhelmingly by the international community and significant efforts were exerted for the successful commencement of the conference in Helsinki in late 2012. The Islamic Republic of Iran, including through several rounds of consultations with the facilitator, expressed its views regarding the issues relating to the organization of the conference, and declared, well in advance, its readiness to participate therein.

However, unfortunately, the planned Helsinki conference was not convened owing solely to the refusal of the Israeli regime to attend the conference. The worst thing was that the proposal "to entrust the United Nations Secretary-General to convene the Conference no later than 1 March 2016", which had been made at the 2015 NPT Review Conference and had been supported by almost all the States parties, was rejected by the United States, which led to the failure of the Review Conference. Immediately after the Review Conference, the Israeli Prime Minister thanked the United States officials for taking this position. This clearly indicates not only the hypocritical policies of the United States with regard to nuclear disarmament and non-proliferation, as well as the establishment of a nuclear-weapon-free zone in the Middle East, but also proves that the United States easily disregards the views of almost all parties to the NPT solely to appease the Israeli regime, which is the only non-party to this treaty in the Middle East. This kind of recompense will indeed further motivate the Israeli regime, as the only outsider, to obstinately retain the status quo, to continue to threaten its neighbours and the region and to defy the repeated calls by the international community of States to comply with international principles and norms.

Notwithstanding the global call for the establishment of a nuclear-weapon-free zone in the Middle East, owing to the intransigent policy of the Israeli regime, including its refusal to become a party to the NPT and to place all its unsafeguarded nuclear facilities under the IAEA comprehensive safeguards, no progress has been achieved thus far towards the establishment of such a zone.

It is crystal clear that the aggressive and expansionist policies of the Israeli regime (recent examples of which are its attacks on Lebanon, the Gaza Strip, the Syrian Arab Republic and countries outside the region) and its large arsenal of nuclear and other weapons of mass destruction, as well as its non-adherence to international law, are the sources of serious threats posed to regional and international peace and security. Indeed, the Israeli regime is the only obstacle to the establishment of a nuclear-weapon-free zone in the Middle East.

This view is shared by the overwhelming majority of Member States. It is worth mentioning in this regard that, at the sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 2012, the participants "expressed great concern over the acquisition of nuclear capability by Israel which poses a serious and continuing threat to the security of

neighbouring and other States, and condemned Israel for continuing to develop and stockpile nuclear arsenals ... They were of the view that stability cannot be achieved in a region where massive imbalances in military capabilities are maintained particularly through the possession of nuclear weapons, which allow one party to threaten its neighbours, and the region".

Against this backdrop, to promote peace and security in the Middle East and to establish a nuclear-weapon-free zone therein, the international community, in particular the depositaries of the NPT, which are also the co-sponsors of the 1995 resolution on the Middle East, as well as the European Union, should exert utmost pressure on the Israeli regime to compel it to accede, without any precondition or further delay, to all international legally binding instruments banning weapons of mass destruction, in particular the NPT, as a non-nuclear-weapon party, and to place all its nuclear facilities and activities under the IAEA comprehensive safeguards.

For its part, the Islamic Republic of Iran, by ratifying all international treaties banning weapons of mass destruction, namely the NPT; the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and fully implementing their provisions, has demonstrated its strong resolve in support of the establishment of a nuclear-weapon-free zone in the Middle East.

Such legal obligations are also enforced by strong supportive policies at the highest level. One example in this regard is the address by the Supreme Leader of the Islamic Republic of Iran, Ayatollah Khamenei, at the sixteenth Conference of Heads of State or Government of Non-Aligned Countries, in which he stated:

> International peace and security are among the critical issues of today's world and the elimination of catastrophic weapons of mass destruction is an urgent necessity and a universal demand ... The Islamic Republic of Iran considers the use of nuclear, chemical and similar weapons as a great and unforgivable sin. We proposed the idea of a "Middle East free of nuclear weapons" and we are committed to it.

In addition, the Islamic Republic of Iran has spared no efforts in supporting meaningful steps aimed at making progress towards the establishment of a nuclear-weapon-free zone in the Middle East in appropriate international forums, including the 2015 Review Conference. The Islamic Republic of Iran will continue its strong support for the establishment of this zone by taking the necessary practical measures to that end.

Israel

[Original: English]
[1 June 2016]

Israel believes that a more secure and peaceful Middle East requires all regional States to engage in a process of direct and sustained dialogue to address the broad range of regional security challenges. Such a dialogue, based on the widely accepted principle of consensus, can only emanate from within the region and address, in an inclusive manner, the threat perceptions of all regional parties in

order to enhance and improve their security. Direct contact, combined with trust and confidence-building, is an essential basis for the creation of a new security paradigm in a region fraught with wars, conflicts, disintegration of national territories and human suffering.

Accordingly, Israel agreed in 2011 to enter a long process of consultations with the Under-Secretary of State for Foreign and Security Policy of Finland, Jaakko Laajava, regarding the regional security challenges in the Middle East. Subsequently, Israel was the first country in the region to respond positively to Mr. Laajava's proposal to engage in multilateral consultations in Switzerland to advance a regional dialogue.

Between October 2013 and June 2014, five rounds of multilateral consultations were held in Switzerland between Israel and several of its Arab neighbours. The central purpose of the meetings was to seek regional consensus on all the essential aspects of a conference in Helsinki, including the agenda, the concluding document and the necessary modalities. Israel attended all of these meetings and engaged in good faith and sincerity with the other participants.

Despite Israel's constructive attitude towards continued engagement and positive responses to formal invitations for the sixth round of consultations in Geneva, the meeting was postponed several times and, ultimately, not held, thus preventing any substantive progress.

Israel continues to believe that a direct dialogue addressing the broad range of security challenges between the regional parties is fundamental for any meaningful consensual discussion on this matter. Israel, for its part, will continue to seek such a meaningful regional discussion that could lead to a more peaceful and secure Middle East free from wars, conflicts and all weapons of mass destruction.

Lebanon

[Original: Arabic]
[18 April 2016]

Lebanon does not possess weapons of mass destruction, and regards the threat or use of such weapons as illegal.

Lebanon complies with United Nations resolutions, particularly with regard to the establishment of a nuclear-weapon-free zone in the Middle East, and cooperates in efforts to eliminate weapons of mass destruction. It expresses its deep concern, however, about Israel's failure to adhere to international legitimacy. Israel maintains a nuclear arsenal that constitutes a threat to all the countries of the region, and consequently to international peace and security.

Lebanon supports and welcomes all initiatives to achieve disarmament, particularly in the Middle East, and reaffirms the role of the United Nations in that regard.

Lebanon has introduced laws and regulations that allow for the monitoring of the export, transit and cross-border transport of any type of weapon of mass destruction or related components; Lebanon does not provide assistance of any kind to any group seeking to acquire, manufacture, possess, transport, provide or use nuclear or other weapons.

Lebanon supports Arab conferences and initiatives aimed at eliminating the causes of tension in the Middle East, in particular by ridding the region of weapons of mass destruction. It participates actively in all meetings of the technical committee of the League of Arab States responsible for preparing a draft treaty on ridding the Middle East of weapons of mass destruction and, in particular, nuclear weapons. Lebanon stresses the danger that Israel's weapons of mass destruction represent for international peace and Arab national security.

Mexico

[Original: Spanish]
[31 May 2016]

The establishment of a zone free of nuclear weapons in the Middle East is a key component of the commitments behind the 1995 agreement on the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons and the agreements reached at the 2000 and 2010 Review Conferences, as it would help to reduce tensions in the region and to create a climate of peace and security, as well as further the goal of the total elimination of nuclear weapons in that region and strengthen the international non-proliferation and disarmament regime.

Mexico regrets the decision in 2012 to postpone the conference on establishing a nuclear-weapon-free zone in the Middle East and considers that the failure to hold the conference has had negative consequences for the non-proliferation regime, as its impact on the credibility of the Non-Proliferation Treaty regime has undermined both trust between the parties and in the commitments that they have entered into.

Mexico, in its individual capacity and as a member of other entities, will continue to support efforts in the First Committee of the General Assembly and within the International Atomic Energy Agency to establish a nuclear-weapon-free zone in the Middle East. It also reiterates its offer to share its experience and lessons learned in the establishment of the nuclear-weapon-free zone in Latin America and the Caribbean.

Portugal

[Original: English]
[31 May 2016]

Portugal supports and highlights the importance of the resolution adopted in 1995, at the review Conference of States Parties to the Treaty on the Non-Proliferation of Nuclear weapons (NPT), as well as the implementation of the action plan resulting from the 2010 Review Conference of the NPT, in what concerns the establishment of a nuclear-weapon-free zone in the Middle East (NWFZ), which underscores the importance of a process leading to the full implementation of the 1995 resolution.

In accordance with the final document resulting from the 2010 Review Conference, a conference including the States parties from the region was planned to take place in 2012, with Ambassador Jaakko Laajava, from Finland, serving as the facilitator. Unfortunately, the above-mentioned conference is still to be held, and Portugal regrets its postponement.

Portugal fully supports the work of the facilitator and, in line with its European partners, gives its support to the initiatives that aim to promote the establishment of a NWFZ.

In the context of the European Union Non-Proliferation Consortium, Portugal has been supporting the process leading to the establishment of a NWFZ through participation in European think tanks and research centre networks, as well as by participating in seminars which aim to encourage political dialogue and the discussion of security questions, among them the disarmament and non-proliferation of weapons of mass destruction. We would like to point out, in this context, two seminars, organized by the European Union in 2011 and 2012, on the establishment of a NWFZ. Portugal attended those seminars and considers such initiatives to be of crucial importance to foster dialogue and build confidence among all parties concerned.

Portugal has been calling upon, both multilaterally and bilaterally, all parties of the region and the co-conveners concerned to achieve concrete results as soon as possible.

Spain

[Original: Spanish]
[1 June 2016]

Spain's foreign policy, in keeping with that of the European Union, is one of firm commitment to the multilateral non-proliferation system, with the clear hope that the principal treaties in this field achieve universal acceptance.

The ratification by Spain of the Treaty on the Non-Proliferation of Nuclear Weapons entailed the recognition of its three fundamental pillars: preventing additional States from acquiring or developing nuclear weapons; promoting cooperation in the use of nuclear energy for peaceful purposes; and working towards nuclear disarmament. Hence, Spain supports, as a general principle, the establishment of nuclear-weapon-free zones as a means of achieving total nuclear disarmament.

In this regard, in 1995 and 2000, the States parties to the Treaty reaffirmed their belief that the establishment of a nuclear-weapon-free zone, particularly in regions where tensions exist, such as the Middle East, as well as the establishment of zones free of any type of weapon of mass destruction, should be encouraged as a priority issue, taking into account the characteristics of each region.

Spain has repeatedly supported the establishment of a nuclear-weapon-free zone in the Middle East, which has been discussed by the General Assembly since 1974, as well as by the International Atomic Energy Agency (IAEA).

That support was evident at the Review Conference of the Parties to the Treaty held in May 2015. Subsidiary body 2, chaired by Spain, examined regional issues, including those related to the Middle East and the implementation of the resolution adopted at the 1995 Review and Extension Conference, and sought to reach agreement on the convening of the conference on the establishment of a Middle East zone free of weapons of mass destruction and their delivery systems, with the presence of all the countries of the region, which has not yet been achieved.

However, the signature of the agreement between the EU 3+3 (China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the European Union) and Iran in July 2015, which enabled the implementation of the Joint Comprehensive Plan of Action, could be considered a small step forward. The plan was endorsed in Security Council resolution 2231 (2015), which entered into force on 16 January 2016, terminated the provisions of the resolutions concerning sanctions against Iran and dissolved the Committee established pursuant to resolution 1737 (2006) concerning the Iranian nuclear issue, which had been responsible for monitoring the sanctions regime. The Security Council chose Spain as its facilitator for the implementation of resolution 2231 (2015) in 2016. The priority of Spain is for the resolution to be implemented transparently and for all States to enjoy legal certainty in their transactions with Iran.

The agreement opens the way to a gradual normalization of relations between Iran and the international community as a whole, particularly the West and other States in the region, and promotes a dynamic of peace and stability. To that end, however, Iran should cease its ballistic-missile-related activities to help establish the climate of trust necessary for a nuclear-weapon-free zone in the Middle East.

In general terms, the Spanish position is perfectly reflected in Decision 2012/422/CFSP of the Council of the European Union[1] in support of a process leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East, which provides for a number of projects to help reach that objective.

Spain has the following comments to make regarding the series of confidence- and security-building measures outlined in chapters III and IV of the study annexed to the report of the Secretary-General of 10 October 1990 (A/45/435):

- On the whole, these measures continue to be adequate and remain valid.
- Nevertheless, the general context needs to be brought up to date because, in some aspects, the situation differs from the one presented in 1990.[2] Consequently, a renewed effort should be made to update the study in order to give new impetus towards achieving the final goal.
- The process of establishing a nuclear-weapon-free zone and the confidence- and security-building measures for this region should be based on the following principles:
  - The final goal would be that all the States in the region ratify the principal treaties and conventions on weapons of mass destruction, particularly the Treaty on the Non-Proliferation of Nuclear Weapons, the Biological and Toxin Weapons Convention, the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty;
  - The geographical delimitation should depend on the freely made decision of the States in the region, seeking to ensure that it is as extensive as possible and making a gradual increase in the area acceptable. The inclusion of international waters does not appear to be appropriate, since such waters are governed by different legal regimes; therefore, only the

[1] Official Journal of the European Union, 24 July 2012.
[2] For example, it does not include the 1995 security guarantees.

States and their territorial waters would be included in the nuclear-weapon-free zone.

- As part of the nuclear-weapon-free zone agreement, the States in the region should undertake to sign comprehensive safeguard agreements with IAEA.
- The confidence- and security-building measures that are negotiated should be based on the principles of specificity, transparency, verifiability, reciprocity, voluntariness, progressivity and complementarity and should not be oriented strictly towards compliance with and verification of the nuclear-weapon-free zone, but should form part of a global peace and security agreement. The general purpose of these measures should be to lessen tension in the region, increasing mutual trust, transparency and predictability and thus reducing the probability of confrontation between the States.
- The international community's support, both for the preparation and implementation of this process, as well as for monitoring compliance, is essential. Consequently, the international community and, especially, the major powers should establish a system of guarantees to strengthen the security of the member States of the nuclear-weapon-free zone and, at the same time, deter them from resorting to nuclear proliferation mechanisms.

Ukraine

[Original: English]
[3 June 2016]

Ukraine has been a member of the Treaty on the Non-Proliferation of Nuclear Weapons since 1994 as a non-nuclear State. During 22 years of NPT membership, Ukraine has been fulfilling its obligations in accordance with the provisions of this international legal instrument. Furthermore, Ukraine keeps undertaking and efficiently implementing additional obligations in the framework of nuclear security summits; in particular, Ukraine refused to use highly enriched uranium and removed all of its stocks from its territory. In the course of the Washington Nuclear Security Summit in March and April 2016, Ukraine, on the highest political level, reconfirmed its commitment to the principles of non-proliferation of nuclear weapons as a leading State in this process.

Ukraine supports the establishment of a nuclear-weapon-free zone in the region of Middle East. This position was confirmed by Ukraine, on a high political level, at the NPT Review Conference in 2015. We consider that convening a conference on this issue is one of many important tasks and its successful implementation would increase the level of regional and international security and strengthen the nuclear non-proliferation regime.